

NICHOLAS A. TRUTANICH
 United States Attorney
 District of Nevada
 Nevada Bar Number 13644
 HOLLY A. VANCE
 Assistant United States Attorney
 United States Attorney's Office
 400 S. Virginia Street, Suite 900
 Reno, NV 89501
 (775) 784-5438; Holly.A.Vance@usdoj.gov
Attorneys for Defendants

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

Aracely Pacheco Moran,

 Plaintiff,

v.

CHAD WOLF, Acting Secretary of
 Homeland Security; MATTHEW T.
 ALBENCE, Deputy Director and Senior
 Official Performing the Duties of the
 Director for U.S. Immigration and
 Customs Enforcement; KENNETH T.
 CUCCINELLI, Senior Official Performing
 the Duties of the Director, U.S. Citizenship
 and Immigration Services; Sandra
 Anderson, Department of Homeland
 Security, Office of Chief Counsel; MAYA
 S. TIMIS; NICHOLE WELLS, OFFICER
 ZHOU, OFFICER CANTRELL,
 UNKNOWN DOES DEFENDANTS 1-99,

 Defendants.

Case No. 2:20-cv-01292-KJD-VCF

**Stipulation and Order for Extension
 of Time**

(First Request)

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Plaintiff Aracely Pacheco Moran and Defendants Nicole I. Wells, Maya S. Timis, Matthew M. Cantrell and Jack Zhou, *et al.* ("Defendants") stipulate and jointly request that the Court approve a 60-day extension of time, from September 11, 2020 to November 10, 2020, for Defendants to respond to Plaintiff's Amended *Bivens* Complaint and Demand for Jury Trial ("Amended Complaint") (ECF No. 10).

The U.S. Attorney's Office was served with the original *Bivens* Complaint on July 27, 2020. (ECF No. 1). Defense counsel, however, was precluded from taking any action to

represent Defendants until the U.S. Department of Justice (“DOJ”) approved their requests for representation.¹ The DOJ did not approve those representation requests until September 11, 2020. Because the federal government is permitted 60 days to respond to a complaint, Defendants respectfully request that the Court allow them 60 days from the date their representation requests were approved to respond to the Amended *Bivens* complaint. An extension is also warranted because defense counsel’s office has been inundated with emergency COVID-19-related motions and she is assisting with responding to that litigation. The deadlines in those cases are shortened and require prompt action.

In sum, good cause exists to extend the time for Defendants to respond to Plaintiff’s Amended Complaint. *See* Fed. R. Civ. P. 6(b)(1)(A) (“When an act may or must be done within a specified time, the court may, *for good cause*, extend the time...with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires[.]”) (emphasis added). This is Defendants’ first request for an extension of time. *See* LR IA 6-1 (must advise of previous extensions). This stipulated request is filed in good faith and not for the purpose of undue delay.

Respectfully submitted this 23rd day of September 2020.

MILLENIUM LEGAL LLC

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Brian J. Ramsey
BRIAN J. RAMSEY, ESQ.
Attorney for Plaintiff

/s/ Holly A. Vance
HOLLY A. VANCE
Assistant United States Attorney
Attorneys for Defendants

DATED: 9-23-2020

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

¹ Defendants requested that the DOJ represent them shortly after they were served with the original complaint. Defendants Timis, Cantrell, and Zhou were served on July 29, 2020 and Defendant Wells was served on July 30, 2020.